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SUBJECT: Uruguay 2010 Trafficking in Persons Report

REF: STATE 2094

Post submits the 2010 Trafficking In Persons Report in response to reftel. Embassy POC is poloff Erin Markley, phone: (598 2) 1770 2924, fax: (598 2) 1770 2112. Poloff spent 40 hours preparing the report, EFM Political Assistant spent 40 hours, and LES Political Specialist spent 40 hours.

125. (U) THE COUNTRY'S TIP SITUATION:

-- A. What is (are) the source(s) of available information on human trafficking? What plans are in place (if any) to undertake further documentation of human trafficking? How reliable are these sources?

- The Ministries of the Interior, Health, Education, Labor, Social Welfare Social Development and the National Institute for Minors and Adolescents (INAU), the Human Rights office within the Bureau of Political Affairs and the Consular Affairs Office of the Ministry of Foreign Affairs, NGO's, IOM and Interpol all constitute sources for reliable information on trafficking in persons. Most of these bodies express a need for better organization of data to be able to identify occurrences of TIP. The Department of Immigration has nearly completed a substantial reorganization of its statistics management and believes that the new system is more conducive to a TIP-based analysis.

-- B. Is the country a country of origin, transit, and/or destination for men, women, or children subjected to conditions of commercial sexual exploitation, forced or bonded labor, or other slave-like conditions? Are citizens or residents of the country subjected to such trafficking conditions within the country? If so, does this internal trafficking occur in territory outside of the government's control (e.g. in a civil war situation)? From where are people recruited or from where do they migrate prior to being subjected to these exploitative conditions? To what other countries are people trafficked and for what purposes? Provide, where possible, numbers or estimates for each group of trafficking victims. Have there been any changes in the TIP situation since the last TIP Report (e.g. changes in destinations)?

- Uruguay is a minor source country for women trafficked for the purpose of commercial sexual exploitation. While reports suggest a small number are trafficked to Spain and Italy, there are also cases of women and minors being trafficked within the country,

particularly to border and in tourist areas.

There is one case being tried as trafficking in persons in which seven to ten women were trafficked to Spain. There are also low numbers of child prostitution and child pornography victims in country. There have been no significant changes to the TIP situation since the last report. The overall level of TIP in the country is considered to be low, but the GOU and NGOs recognize that actual levels of TIP within the country are difficult to ascertain, and some TIP cases likely go undetected.

-- C. To what kind of conditions are the trafficking victims subjected?

-The few suspected and confirmed trafficking victims were subjected to poor conditions.

-- D. Vulnerability to TIP: Are certain groups of persons more at risk of human trafficking (e.g. women and children, boys versus girls, certain ethnic groups, refugees, IDPs, etc.)? If so, please specify the type of exploitation for which these groups are most at

risk (e.g., girls are more at risk of domestic servitude than boys).

- Women and children, particularly girls, are frequently cited as being most at risk. There is no evidence of racial or ethnic groups being targeted, but those from impoverished backgrounds are universally cited as the most vulnerable.

-- E. Traffickers and Their Methods: Who are the traffickers/exploiters? Are they independent business people? Small or family-based crime groups? Large international organized crime syndicates? What methods are used to gain direct access to victims? For example, are the traffickers recruiting victims through lucrative job offers? Are victims sold by their families, or approached by friends of friends? Are victims "self-presenting" (approaching the exploiter without the involvement of a recruiter or transporter)? If recruitment or transportation is involved, what methods are used to recruit or transport victims (e.g., are false documents being used)? Are employment, travel, and tourism agencies or marriage brokers involved with or fronting for traffickers or crime groups to traffic individuals?

- Officials consistently report that local and international crime rings that smuggle drugs and other contraband are behind most of the trafficking schemes in Uruguay. Some domestic violators may be independent and some are family-based. Some evidence suggests that a few hotel staff and taxi drivers may connect clients with exploiters. There is no evidence that significant profits come from trafficking in persons. Government agencies and NGOs agree that sexually exploited women in Uruguay are usually Uruguayans or others who crossed the border on their own valid travel documents and had first contact with their exploiters while in Uruguay. South Americans do not generally need passports to travel to other South American countries. Some victims are self-presenting, but there are also cases of recruitment, especially by other victims, based on lucrative job offers. One case of prostitution included blackmail.

-- A. Does the government acknowledge that human trafficking is a problem in the country? If not, why not?

- Although the GOU believes that the incidence of trafficking across borders in Uruguay is low, it nevertheless recognizes that trafficking in persons does occur. Government authorities and NGOs state that exploited minors generally do not cross Uruguay's international borders. Nearly all GOU agencies recognize that need to build on the already established research and training to deepen understanding as to the extent of TIP in Uruguay, however, they note that significant progress has been made over the past several years.

-- B. Which government agencies are involved in efforts to combat sex and labor trafficking - including forced labor - and, which agency, if any, has the lead in these efforts?

- The Ministry of the Interior has the lead in investigating TIP-related cases. Local police forces, INTERPOL, the Department of Migration, and the Ministries of Health, Education, Social Development, Tourism, Labor and Social Welfare (including INAU) also play a part in anti-trafficking efforts.

-- C. What are the limitations on the government's ability to address these problems in practice? For example, is funding for police or other institutions inadequate? Is overall corruption a problem? Does the government lack the resources to aid victims?

- Limited government resources continue to be the key constraint on Uruguay's well established political will to combat TIP. Although recent training (including by the GOU, USG, and IOM) has improved awareness of TIP and helped develop anti-TIP strategies, law enforcement agencies have no additional budget for investigative studies and social service agencies cannot fully comply with many of their legislated mandates, including complete victim assistance. The creation of the Specialized Criminal Courts for Organized Crime, and the inclusion of TIP in their mandate, facilitates investigations because all TIP cases go to one of two judges, and in Uruguay, the judges can require that police conduct an investigation. The creation of the Specialized Courts also has created a body of judicial experts in organized crime who are better skilled at identifying TIP. According to Transparency International, Uruguay ranks high as a country with very little corruption; there is no evidence to suggest that lack of resources is a result of corruption.

-- D. To what extent does the government systematically monitor its anti-trafficking efforts (on all fronts -- prosecution, victim protection, and prevention) and periodically make available, publicly or privately and directly or through regional/international organizations, its assessments of these anti-trafficking efforts?

-Presently, prevention, protection, prosecution, and investigation are tasks separated by agency and have seldom presented significant numbers of cases to merit systematic monitoring by the GOU. Following January 2008 TIP legislation, however, there has been a developing recognition that data specific to TIP is increasingly important. The Ministry of the Interior's Migrations Department has nearly completed the digitizing its past records and reviewing its statistics system. This effort will better facilitate

management of data pertinent to TIP.

In 2008 the Ministry of Social Development formed an interagency committee to address TIP issues. Since then, the committee has continued to meet in a roundtable format once or twice a month and includes representatives from the Ministry of the Interior (the Department of Migration); INTERPOL; the judiciary (the judges from the Specialized Courts); Ministry of Foreign Affairs (Human Rights Department and Consular Issues Department); the Ministry of Tourism; OIM; and NGOs. All representatives have reported that the group provides the necessary platform to share information about prevention and prosecution, and that the participation of the judiciary in the group is extremely important. The group is working towards establishing an official interagency TIP protocol in conjunction with a regional TIP protocol under the guidance of Mercosur.

Additionally, the INAU Committee for the Eradication of Commercial and Non-commercial Sexual Exploitation of Children and Adolescents (formed in 2004 in response to a presidential decree) meets every 15 days. In these meetings, representatives from INAU, the police, INTERPOL, the Ministry of the Interior; the Ministry of Social Development and the Ministry of Health discuss on going cases and prevention of all sexual abuse to minors including TIP.

-- E. What measures has the government taken to establish the identity of local populations, including birth registration, citizenship, and nationality.

- The government registers all babies upon birth and the Department of Migration administers naturalization. All citizens and residents are required to register with the Department of Migration and are issued national identity cards. The National Institute of Statistics carries out regular censuses with the last one being published in 1996.

--F. To what extent is the government capable of gathering the data required for an in-depth assessment of law enforcement efforts? Where are the gaps? Are there any ways to work around these gaps?

-The gaps are related to bureaucracy and budgetary constraints. Police only collect information pertinent to the case, and this information is not used unless the case goes to court. An additional statistical challenge arises from the lack of digitization of court and police records, and the fact that access requires extensive bureaucratic process. Many agencies recognize the challenges presented by lack of good statistical information and are making efforts to improve data collection and data sharing.

127. (U) INVESTIGATION AND PROSECUTION OF TRAFFICKERS:

-- A. Existing Laws against TIP: Does the country have a law or laws specifically prohibiting trafficking in persons -- both sexual exploitation and labor? If so, please specifically cite the name of the law(s) and its date of enactment and provide the exact language [actual copies preferable] of the TIP provisions. Please provide a full inventory of trafficking laws, including non-criminal statutes that allow for civil penalties against alleged trafficking crimes (e.g., civil forfeiture laws and laws against illegal debt). Does the law(s) cover both internal and transnational forms of trafficking? If not, under what other laws can traffickers be prosecuted? For example, are there laws against slavery or the exploitation of prostitution by means of force,

fraud, or coercion? Are these other laws being used in trafficking cases?

- In January 2008 Uruguay enacted a new immigration law containing articles 78, 79 and 80 which address most trafficking-related crimes that fall under commercial sexual exploitation of children, fraud and slavery. The law clarifies penalties against recruitment, transport, transference, housing or receipt of persons for forced work or labor, slavery or similar practices, servitude, sexual exploitation, removal and extraction of organs or any other activity which undermines human dignity. These articles supplemented previous laws against forced labor, sexual assault, and unlawful detention which could also be used against traffickers. Taken together, these laws adequately cover trafficking within Uruguay.

-- B. Punishment of Sex Trafficking Offenses: What are the prescribed and imposed penalties for the trafficking of persons for commercial sexual exploitation, including for the forced prostitution of adults and the prostitution of children?

- Penalties for violation of child pornography laws range from one to two years in prison. A person convicted of pimping children would receive a sentence of four to 16 years. Forced sexual exploitation of an adult would be prosecuted under forced labor statutes. TIP-related crimes carry a penalty of four to sixteen years of imprisonment.

-- C. Punishment of Labor Trafficking Offenses: What are the prescribed and imposed penalties for labor trafficking offenses, including all forms of forced labor? If your country is a source country for labor migrants, do the government's laws provide for criminal punishment -- i.e. jail time -- for labor recruiters who engage in recruitment of workers using knowingly fraudulent or deceptive offers with the purpose of subjecting workers to compelled service in the destination country? If your country is a destination for labor migrants (legal/regular or illegal/irregular), are there laws punishing employers or labor agents who confiscate workers' passports or travel documents for

the purpose of labor trafficking, switch contracts without the worker's consent as a means to keep the worker in a state of compelled service, or withhold payment of salaries as means of keeping the worker in a state of compelled service?

- Forced labor or unlawful detention carries a penalty of six to twelve years in prison. Detention of the victim for more than 10 days or if the victim is less than fifteen years old are considered aggravating circumstances which can push the penalty toward the maximum. The new migration law applies the penalty of four to sixteen years of imprisonment to all TIP related crimes.

Although Uruguay is neither a significant source nor a significant destination country for migrant workers, anybody engaged in fraudulent recruitment, transport, transfer or reception of forced labor victims, is liable for prosecution under anti-TIP laws. The penalty is between 4 and 16 years in prison.

-- D. What are the prescribed penalties for rape or forcible sexual assault? (NOTE: This is necessary to evaluate a foreign government's compliance with TVPA Minimum Standard 2, which reads: "For the knowing commission of any act of sex trafficking... the government of the country should prescribe punishment commensurate

with that for grave crimes, such as forcible sexual assault (rape)." END NOTE)

- The penalties for rape or sexual assault range from one to eight years in prison. Sexual assault or attempted sexual assault carries two to twelve years, and violence is presumed if the victim is less than fifteen years old.

-- E. Law Enforcement Statistics: Did the government take legal action against human trafficking offenders during the reporting period? If so, provide numbers of investigations, prosecutions, convictions, and sentences imposed, including details on plea bargains and fines, if relevant and available. Please note the number of convicted trafficking offenders who received suspended sentences and the number who received only a fine as punishment. Please indicate which laws were used to investigate, prosecute, convict, and sentence traffickers. Also, if possible, please disaggregate numbers of cases by type of TIP (labor vs. commercial sexual exploitation) and victims (children under 18 years of age vs. adults). What were the actual punishments imposed on convicted trafficking offenders? Are they serving the time sentenced? If not, why not?

The government and the judiciary made progress in promptly investigating and prosecuting potential trafficking cases during the reporting period. There is one case being tried under the trafficking in persons legislation. The perpetrators of that case are in prison awaiting sentencing.

Three men have been convicted of the production and selling of child pornography in Salto. In another case, one man was convicted of distribution of child pornography internationally, but the victims were not identified. They are all currently in prison and the Salto case is currently under appeal.

Several cases are in process:

* Three people are in prison awaiting trial for participation in a child prostitution ring in Paysandu that reportedly exploited up to 20 minors, both boys and girls, between the ages of 13 and 17.

* One man was arrested in Salto for child pornography for compensating minors aged 12 - 15 with gifts to strip in front of a camera. He is in prison awaiting trial. He is also accused of two counts of sexual abuse.

* One couple was arrested for pimping and coercing eight women, many of them university students. They threatened the women with showing compromising pictures of them to their families.

* A mother and step father were arrested for pimping and are awaiting sentencing, for the pimping of their six-year-old daughter to an elderly neighbor. The neighbor is also awaiting sentencing for child abuse.

Because of secrecy laws to protect victims and witnesses, information about cases and case outcomes is difficult to ascertain in Uruguay. Judges are not officially allowed to provide information on cases until they are complete, and there is no way to know when they are complete because trials are not public. Case information, therefore, comes through press reports, which are generally inconsistent and incomplete, and occasionally incorrect.

-- F. Does the government provide any specialized training for law enforcement and immigration officials on identifying and treating victims of trafficking? Or training on investigating and prosecuting human trafficking crimes? Specify whether NGOs, international organizations, and/or the USG provide specialized training for host government officials.

- This year, 12 judges, public prosecutors, migration officials, and police attended the International Law Enforcement Academy TIP Training course in Lima. ILEA training has greatly facilitated the effectiveness of interagency cooperation by ensuring not only a common understanding of TIP related issues but an increasingly cohesive approach to addressing them. Upon return, several ILEA participants participated in an embassy-led awareness raising TIP training to an audience of over 100 police, migration, judiciary, NGO, and other officials. With G-TIP regional funding, OIM led a regional training in Colonia and a national training in Montevideo. In preparation for these trainings, OIM and MIDES conducted five workshops with local interagency committees that address exploitation and sexual violence in the border departments with Argentina. INAU conducted two trainings in Colonia through the Committee for the Eradication of Commercial and Non-commercial Sexual Exploitation of Children and Adolescents, with the goal of improving communication between government and non-government actors. The Department of Migration conducted several on-site trainings with border officials to increase ability to identify potential TIP cases. The Ministry of Foreign Affairs now includes a module of identifying and assisting trafficking victims while serving abroad as part of its training provided to all new diplomats.

--G. Does the government cooperate with other governments in the investigation and prosecution of trafficking cases? If possible, provide the number of cooperative international investigations on trafficking during the reporting period.

- The government cooperates with neighboring and European authorities on international trafficking cases. Direct cooperation among regional immigration services took place during the year, particularly between Uruguay and Argentina's immigration services, which have shared databases. Additionally, the GOU actively participates in a regional dialogue sponsored by Mercosur; in February 2009, regional cooperation to combat sexual exploitation in border areas between Uruguay, Argentina, Chile and Paraguay commenced, and several agency-to-agency regional workgroup meetings were held this year. Additionally, the INAU Committee for the Eradication of Commercial and Non-commercial Sexual Exploitation of Children and Adolescents and the Ministry of Tourism regularly communicates with its equivalent bodies in neighboring countries.

-- H. Does the government extradite persons who are charged with trafficking in other countries? If so, please provide the number of traffickers extradited during the reporting period, and the number of trafficking extraditions pending. In particular, please report on any pending or concluded extraditions of trafficking offenders to the United States.

- In general, Uruguay freely cooperates with extradition requests as long as the prisoner is not political and capital punishment is not a possibility. Post is aware of no TIP-related extradition requests during the reporting period.

-- I. Is there evidence of government involvement in or tolerance

of trafficking, on a local or institutional level? If so, please explain in detail.

- There are no cases of government involvement in trafficking. One case from 2008 in which an immigration official in an overseas consulate had allegedly taken bribes in order to facilitate the processing of illegal business visas has been thoroughly investigated but there was not enough evidence to convict.

-- J. If government officials are involved in human trafficking, what steps has the government taken to end such complicity? Please indicate the number of government officials investigated and prosecuted for involvement in trafficking or trafficking-related criminal activities during the reporting period. Have any been convicted? What sentence(s) was imposed? Please specify if officials received suspended sentences, or were given a fine, fired, or reassigned to another position within the government as punishment. Please indicate the number of convicted officials that received suspended sentences or received only a fine as punishment.

-No government officials were found to be involved in trafficking related offenses within the reporting period.

-- K. For countries that contribute troops to international peacekeeping efforts, please indicate whether the government vigorously investigated, prosecuted, convicted and sentenced nationals of the

country deployed abroad as part of a peacekeeping or other similar mission who engaged in or facilitated severe forms of trafficking or who exploited victims of such trafficking.

- No Uruguayan members of peacekeeping missions have been accused of TIP. In past years all cases of sexual abuse have been vigorously investigated, prosecuted, convicted and sentenced by national or military courts.

-- L. If the country has an identified problem of child sex tourists coming to the country, what are the countries of origin for sex tourists? How many foreign pedophiles did the government prosecute or

deport/extradite to their country of origin? If your host country's nationals are perpetrators of child sex tourism, do the country's child sexual abuse laws have extraterritorial coverage (similar to the U.S. PROTECT Act) to allow the prosecution of suspected sex tourists for crimes committed abroad? If so, how many of the country's nationals were prosecuted and/or convicted during the reporting period under the extraterritorial provision(s) for traveling to other countries to engage in child sex tourism?

- Child sex tourism is not a major problem in Uruguay. Although anecdotal reports suggest some sexual tourists arrive from the region and from Europe, as yet, no cases link specific tourists to sexual exploitation. There is no evidence that Uruguayans travel

abroad for sex tourism, but no study has been conducted. Uruguay's legislation against sex with, pimping of, or lewd acts upon children does not have extraterritorial coverage.

-- A. What kind of protection is the government able under existing law to provide for victims and witnesses? Does it provide these protections in practice?

- The GOU holds the names of victims anonymous. Witness statements are usually presented in written form, and any spoken evidence is distorted by a vocal filter. In such a way, anonymity is tightly controlled. Uruguayan law makes specific reference to those reporting TIP crimes, the witnesses to such crimes and the victims and offers them the same protection afforded to accusers, victims, witnesses and their families under law number 18.026 "Cooperation with the international criminal court in the subject of the struggle against genocide, war crimes and human abuse." Article 13 of this law provides that, should a judge deem it necessary, the state will provide security, and support physical and social well-being. In practice, however, this doesn't amount to much aside from possible police vigilance during the case. A June 2009 law, 18.494, written to address money laundering legislation, addresses additional witness protection to encourage participant witnesses to testify, and covers TIP cases as well as other organized crime cases. An important advance this year in victim protection is an informal agreement between judges and victim care workers that allows an intermediary to report a TIP case on behalf of a victim, allowing victims more anonymity before a case is actually launched. This is important since TIP victims are often living amount those who recruited and/or trafficked them.

-- B. Does the country have victim care facilities (shelters or drop-in centers) which are accessible to trafficking victims? Do foreign victims have the same access to care as domestic trafficking victims? Where are child victims placed (e.g., in shelters, foster care, or juvenile justice detention centers)? Does the country have specialized care for adults in addition to children? Does the country have specialized care for male victims as well as female? Does the country have specialized facilities dedicated to helping victims of trafficking? Are these facilities operated by the government or by NGOs? What is the funding source of these facilities? Please estimate the amount the government spent (in U.S. dollar equivalent) on these specialized facilities dedicated to helping trafficking victims during the reporting period.

- The government provides technical assistance to NGOs working in the victim assistance. Uruguayan law provides legal alternatives to the removal of foreign victims to countries where they face hardship or retribution. The GOU attempts to provide access to legal, medical and psychological care for victims of trafficking; however, not all services are available throughout the country and as a result, some victims were unable to benefit from the services offered. Government and NGO shelters for assistance to female victims of abuse of all sorts operated in the capital but could not accommodate the demand for shelter. Adult victims of trafficking have the right to refer themselves to GOU services, and standard procedure requires police to refer victims to government and/or NGO shelters. Victims are entitled to free medical and psychological care. There is no specialized care for men.

GOU facilities are mandated to assist trafficking victims but do not record the reason assistance was granted, hence no record of assisting trafficking victims exists. Courts refer victimized minors to the child welfare agency, INAU, for processing, assistance, and possible reunification with their families. INAU shelters were available to children who were victimized by their families.

International Organization for Migration (IOM) works with trafficking victims in Uruguay. IOM provides trafficking victims

basic monetary help, psychological and legal support upon arrival if needed. This year IOM provided assistance to one trafficking victim who was referred by an NGO.

-- C. Does the government provide trafficking victims with access to legal, medical and psychological services? If so, please specify the kind of assistance provided. Does the government provide funding or other forms of support to foreign or domestic NGOs and/or international organizations for providing these services to trafficking victims? Please explain and provide any funding amounts in U.S. dollar equivalent. If assistance provided was in-kind, please specify exact assistance. Please specify if funding for assistance comes from a federal budget or from regional or local governments.

-The government recognizes the need to provide special assistance to trafficking victims. In practice, TIP victims are eligible for the same government or NGO provided services to which the rest of the population has access. The European Union approved funding of USD 190,000 in December 2009 that envisions pilot projects of TIP shelters for both women and minors. These projects will begin in 2010.

The Department of Social Development is in regular and close contact with NGOs working in the field, but TIP-specific funding comes from international donors. The Ministry of Social Development and INAU fund women's and children's shelters that are available to TIP victims. Government agencies provide extensive in-kind assistance through the participation of their staff in TIP roundtable meetings for planning and coordinating interagency efforts. Additionally, the Ministry of Social Development supported the local NGO Casa Abierta to publish and hand out information leaflets on TIP to sex workers while undergoing mandatory medical checkups.

-- D. Does the government assist foreign trafficking victims, for example, by providing temporary to permanent residency status, or other relief from deportation? If so, please explain.

- While the GOU would, in theory, care for foreign victims of TIP, no confirmed cases of such victims have ever been recorded.

-- E. Does the government provide longer-term shelter or housing benefits to victims or other resources to aid the victims in rebuilding their lives?

- TIP victims are eligible for the same benefits as victims of domestic violence. Some with job-training programs exist, and housing assistance may be awarded based on income level.

-- F. Does the government have a referral process to transfer victims detained, arrested or placed in protective custody by law enforcement authorities to institutions that provide short- or long-term care (either government or NGO-run)?

- Government and non-government entities report a high level of cooperation. Although there is no formal referral process, good interagency communication facilitates easy access to victim assistance.

-- G. What is the total number of trafficking victims identified during the reporting period? (If available, please specify the type of exploitation of these victims - e.g. "The government

identified X number of trafficking victims during the reporting period, Y of which were victims of trafficking for sexual exploitation and Z of which were victims of nonconsensual labor exploitation.) Of these, how many

victims were referred to care facilities for assistance by law enforcement authorities during the reporting period? By social services officials? What is the number of victims assisted by government-funded assistance programs and those not funded by the government during the reporting period?

This year Uruguay' IOM is assisting one trafficking victim (who was trafficked during a previous reporting cycle) with resettlement assistance. There have also been several minor victims who are in INAU custody following child pornography and child prostitution cases. Care facilities were offered to all victims, but most refused the assistance offered. It is difficult to obtain data in this area because of regulations to protect victims.

-- H. Do the government's law enforcement, immigration, and social services personnel have a formal system of proactively identifying victims of trafficking among high-risk persons with whom they come in contact (e.g., foreign persons arrested for prostitution or immigration violations)? For countries with legalized prostitution, does the government have a mechanism for screening for trafficking victims among persons involved in the legal/regulated commercial sex trade?

The GOU recognizes the need for such a formal system and worked during the year to develop a protocol for all agencies that may come into contact with TIP victims, including those working with high risk persons. Additionally, through the trainings provided on recognition and response to TIP-related crime this year from the GOU, USG and international organizations, many agencies (migration, consular, police, judges and NGOs) report greatly enhanced awareness of the issue.

In 2008, the Ministry of Social Development formed an interagency committee to deal with TIP issues. During this reporting year, the committee has continued to meet once or twice a month and includes representatives from the Ministry of the Interior (the Department of Migration); INTERPOL; the judiciary (the judges from the Specialized Courts); Ministry of Foreign Affairs (Human Rights Department and Consular Issues Department); the Ministry of Tourism; OIM; and NGOs. Additionally, The INAU "Committee for the Eradication of Commercial and Non-commercial Sexual Exploitation of Children and Adolescents" meets every 15 days. In these meetings representatives from INAU, the police, INTERPOL, the Ministry of the Interior, the Ministry of Social Development, and the Ministry of Health discuss ongoing cases and the prevention of all sexual abuse to minors including TIP.

Prostitution is legal. Brothels, discos, and massage parlors are inspected to ensure that minors are not working there. The minimum age for the activity is 18. Pimping is illegal, and sentences are higher when the cases involve minors.

-- I. Are the rights of victims respected? Are trafficking victims detained or jailed? If so, for how long? Are victims fined? Are victims prosecuted for violations of other laws, such as those

governing

immigration or prostitution?

- Victims' rights are generally respected, and there were no reports of victims being jailed, deported, or otherwise penalized in the reporting period.

-- J. Does the government encourage victims to assist in the investigation and prosecution of trafficking? How many victims assisted in the investigation and prosecution of traffickers during the reporting period? May victims file civil suits or seek legal action against traffickers? Does anyone impede victim access to such legal redress? If a victim is a material witness in a court case against a former employer, is the victim permitted to obtain other employment or to leave the country pending trial proceedings? Are there means by which a victim may obtain restitution?

- The GOU encourages but does not force victims to assist in the investigation and prosecution of trafficking. There are no obstructions to victims who seek to press charges against their exploiters or pursue civil action. In some criminal cases, Uruguayan citizens are not permitted to leave the country, but there is no precedent of such prohibition in a trafficking case. Uruguay's anti-TIP legislation provides the same protection to victims as under the 2006 law 18.026, "Cooperation with the International Criminal Court in the subject of the struggle against genocide, war crimes and human abuse". The law provides financial compensation for victims as well as personal and psychological protection for victims and their families.

A June 2009 law, 18.494, to improve money laundering legislation, addresses additional witness protection to encourage participant witnesses to testify. The law applies to, but has not yet been used in any TIP cases.

-- K. Does the government provide any specialized training for government officials in identifying trafficking victims and in the provision of assistance to trafficked victims, including the special needs of

trafficked children? Does the government provide training on protections and assistance to its embassies and consulates in foreign countries that are destination or transit countries? What is the number of trafficking victims assisted by the host country's embassies or consulates abroad during the reporting period? Please explain the type of assistance provided (travel documents, referrals to assistance, payment for transportation home).

- The GOU provided and participated in several trainings this year, all of which include modules on victim protection and assistance. 12 judges, public prosecutors, migration officials, and police attended the International Law Enforcement Academy TIP Training course in Lima. Upon return, several ILEA participants participated in an embassy-led awareness raising TIP training to an audience of over 100 police, migration, judiciary, NGO, and other officials. With G-TIP regional funding, OIM led a regional training in Colonia and a national training in Montevideo. In preparation for these trainings, OIM and MIDES conducted five workshops with departmental committees that address exploitation and sexual violence in the border departments with Argentina. INAU conducted two trainings in Colonia through the Committee for the Eradication of Commercial and Non-commercial Sexual Exploitation of Children and Adolescents. The Department of Migration conducted several on-site trainings with border officials to increase ability to identify potential TIP cases. The Ministry of Foreign Affairs now includes a module of identifying and assisting trafficking victims while serving abroad as part of its training provided to all new diplomats.

-- L. Does the government provide assistance, such as medical aid, shelter, or financial help, to its nationals who are repatriated as victims of trafficking?

- Housing and medical services are available, in theory, to all Uruguayan citizens in need. In practice, these provisions are largely inadequate for victims of TIP who often are obliged to rely on family support.

-- M. Which international organizations or NGOs, if any, work with trafficking victims? What type of services do they provide? What sort of cooperation do they receive from local authorities?

- The government, NGOs and international organizations work together to prevent, investigate, and apprehend traffickers. The NGOs dealing in TIP do so as part of other issues such as women, children, or family issues, and NGOs in Uruguay are generally weak. IOM, El Faro, SOMOS, Arco Iris, Andenes, Claves - Juventud Para Cristo, Casa Abierta, and BICE (Catholic technical assistance) are NGOs that work with trafficking victims. Some NGOs offer treatment for victims of abuse and trafficking and others provide shelter, food or education. Assistance to victims of labor and sexual exploitation of minors is available through INAU and NGOs.

129. (U) PREVENTION:

-- A. Did the government conduct anti-trafficking information or education campaigns during the reporting period? If so, briefly describe the campaign(s), including their objectives and effectiveness. Please provide the number of people reached by such awareness efforts, if available. Do these campaigns target potential trafficking victims and/or the demand for trafficking (e.g. "clients" of prostitutes or beneficiaries of forced labor)? (Note: This can be an especially noteworthy effort where prostitution is legal. End Note.)

- Government efforts to raise public awareness, particularly among groups most vulnerable to trafficking, were sustained during the reporting period. Following the success of last year's campaign, INAU repeated its large-scale information campaign to raise awareness on the issue of exploitation of minors in tourist areas with cooperation from the Ministry of Tourism. 30,000 leaflets and 10,000 stickers will be distributed starting in February 2010, with a concentration on tourist areas. In cooperation with this campaign and other outreach efforts by MIDES, the Ministry of Tourism has a program that solicits hotels and other service providers to sign onto a national convention to promise to combat TIP on their premises. The convention states that the companies will protect the rights of children and adolescents by training their employees to identify it and denounce it. Forty service providers have signed onto the convention since 2007.

The Ministry of Education maintained its rights-based sex education curriculum which includes anti-trafficking segments. MIDES produced pamphlets to warn sex workers of common TIP scams to be distributed at mandatory medical checkups. The child welfare authorities (INAU) use public service announcements to advertise their Blue Line hotline program to report abuse/exploitation. Neither the coverage nor the effectiveness of Blue Line announcements has been measured.

-- B. Does the government monitor immigration and emigration patterns for evidence of trafficking?

The Department of Immigration has nearly completed a substantial reorganization of its statistics management and believes that the new system will be more conducive to a TIP-based analysis.

-- C. Is there a mechanism for coordination and communication between various agencies, internal, international, and multilateral on trafficking-related matters, such as a multi-agency working group or a task force?

- Although there are as yet no formalized mechanisms, since 2008, interagency communication on TIP issues has been greatly enhanced

by the formation of an interagency TIP committee by the Ministry of Social Development. The committee meets once or twice a month and includes representatives from the Ministry of the Interior (the Department of Migration); INTERPOL; the judiciary (the judges from the Specialized Courts); Ministry of Foreign Affairs (Human Rights Department and Consular Issues Department); the Ministry of Tourism; OIM; and NGOs. Participants report the committee having immense impact on TIP understanding and coordination between agencies. Additionally, the INAU "Committee for the Eradication of Commercial and Non-commercial Sexual Exploitation of Children and Adolescents" meets every 15 days. In these meetings representatives from INAU, the police, INTERPOL, the Ministry of the Interior, the Ministry of Social Development, and the Ministry of Health discuss ongoing cases and the prevention of all sexual abuse to minors including TIP.

-- D. Does the government have a national plan of action to address trafficking in persons? If the plan was developed during the reporting period, which agencies were involved in developing it? Were NGOs consulted in the process? What steps has the government taken to implement the action plan?

- The interagency TIP committee, formed by the Ministry of Social Development, is working towards the creation of a more formal, coordinated plan of action. The committee works closely with relevant NGOs. The GOU is a full participant in Mercosur's regional action plan to combat sexual exploitation in border areas. The plan commenced on February 15th 2009, and has held several regional workgroup meetings. The plan includes a regional awareness-raising campaign as well as the creation of a regional TIP protocol.

-- E: Required of all Posts: What measures has the government taken during the reporting period to reduce the demand for commercial sex acts? (please see ref B, para. 9(3) for examples)

- Following the success of last year's campaign, INAU repeated its large-scale information campaign to raise awareness on the issue of exploitation of minors in tourist areas with cooperation from the Ministry of Tourism. 30,000 leaflets and 10,000 stickers will be distributed starting in February 2010, with a concentration on tourist areas.

-- F. Required of all Posts: What measures has the government taken during the reporting period to reduce the participation in international child sex tourism by nationals of the country?

- INAU believes its information campaign concerning sexual exploitation may have impact on nationals participating in sex tourism abroad.

-- G. Required of posts in countries that have contributed over 100 troops to international peacekeeping efforts (Argentina, Australia, Austria, Bangladesh, Belgium, Benin, Bolivia, Brazil, Burkina

Faso, Cameroon, Canada, Chile, China, Cote d'Ivoire, Croatia, Denmark, Egypt, El Salvador, Ethiopia, Fiji, Finland, France, Gambia, Germany, Ghana, Guatemala, India, Indonesia, Ireland, Italy, Jordan, Kenya, Korea (ROK), Malawi, Malaysia, Mongolia, Morocco, Nepal, Niger, Nigeria, Norway, Pakistan, Peru, Philippines, Poland, Portugal, Russia, Rwanda, Senegal, Slovakia, South Africa, Spain, Sri Lanka, Tanzania, Togo, Tunisia, Turkey, Uganda, Ukraine, United Kingdom, Uruguay, Yemen, Zambia, and Zimbabwe): What measures has the government adopted to ensure that its nationals who are deployed abroad as part of a peacekeeping or other similar mission do not engage in or facilitate severe forms of trafficking or exploit victims of such trafficking? If posts do not provide an answer to this question, the Department may consider including a statement in the country assessment to the effect that "An assessment regarding Country X's efforts to ensure that its

troops deployed abroad for international peacekeeping missions do not engage in or facilitate trafficking or exploit trafficking victims was unavailable for this reporting period."

- As part of the training for all peacekeepers that are going abroad, there is extensive training including on sexual abuses of which specific modules on TIP are included. The training is based on UN requirements and regulations and includes identifying TIP crimes and emphasizing the obligation of peacekeeping troops to protect civilians. Soldiers are required to either prevent or denounce the crime.

Uruguay has a Zero Tolerance policy for any sexual activity in the field due to the high risk involved. Uruguay has shortened the assignments to 6 months, in part to make this policy less of a hardship. Uruguay's peacekeeping missions have a legal attach???? that counsels, defends, and/or accuses the Uruguayan officers.

130. (U) PARTNERSHIPS

Secretary Clinton has identified a fourth "P", Partnerships, recognizing that governments' partnerships with other government and elements of civil society are key to effective anti-TIP strategies. Although the 2010 Report will include references and/or descriptions of these partnerships, they will not be considered in the determining the tier rankings, except in cases where a partnership contributes to the government's efforts to implement the TVPA's minimum standards.

-- A. Does the government engage with other governments, civil society, and/or multilateral organizations to focus attention and devote resources to addressing human trafficking? If so, please provide details.

- MIDES leads an important interagency effort through the TIP roundtable that works closely with government officials, relevant NGOs, and international NGOs. The GOU is a full participant in Mercosur regional action plan to combat sexual exploitation in border areas which includes a regional awareness-raising campaign as well as the creation of a regional TIP protocol. Also at a

regional level, the Ministry of Tourism participates in the Southern Cone Regional Action Group for the prevention of Sexual exploitation and commercial exploitation of children and adolescents in Travel and Tourism. With G-TIP regional funding, OIM led a regional training in Colonia which included Argentine anti-TIP actors. The GOU embraces other countries' efforts to assist in TIP initiatives. In 2009, government officials supported and participated in the embassy-led awareness raising TIP training to over 100 law enforcement officials and NGO participants. The GOU also works closely with European law enforcement counterparts on international cases, and will be working with the European Union on an important anti-TIP project to include outreach and victim services.

-- B. What sort of international assistance does the government provide to other countries to address TIP?

-Uruguay is a willing participant in regional and international TIP programs. Uruguayan law enforcement officials regularly meet with and share information with Argentine law enforcement officials, and the Migration databases between the two countries are shared. Because it is a smaller country with fewer instances of trafficking, Uruguay is generally more of a collaborator than a coordinator.
Nelson